

HOUSE BILL 2007
By Fraley

AN ACT to amend Tennessee Code Annotated, Title 55, relative to certain electrically self-propelled motorized vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-101, is amended by deleting item (31) in its entirety and by substituting instead the following:

(31) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, including a vehicle that is fully enclosed, has three (3) wheels in contact with the ground, weighs less than one thousand five hundred pounds (1,500 lbs.), and has the capacity to maintain posted highway speed limits, excluding a tractor or motorized bicycle;

SECTION 2. Tennessee Code Annotated, Section 55-1-103, is amended by deleting item (3) in its entirety and by substituting instead the following:

(3) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, including a vehicle that is fully enclosed, has three (3) wheels in contact with the ground, weighs less than one thousand five hundred pounds (1,500 lbs.), and has the

capacity to maintain posted highway speed limits, excluding a tractor or motorized bicycle;

SECTION 3. Tennessee Code Annotated, Section 55-9-302, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) This section does not apply to persons riding:

(1) Within an enclosed cab;

(2) motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.) and have the capacity to maintain posted highway speed limits; or

(3) Golf carts.

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 17, is amended by adding the following new sections as a new part thereto:

Section _____. Notwithstanding the provisions of § 55-17-111 or § 55-17-112, or any other law to the contrary, the provisions of this part shall apply to the sale of motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.) and have the capacity to maintain posted highway speed.

Section _____. No person shall engage in the sale of motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.) and have the capacity to maintain posted highway speed limits unless such person has a license from the motor vehicle commission.

Section _____.

(a) The commission shall prescribe and provide forms to be used for applications for licenses and for the renewals thereof to be used under the terms and provisions of this part. Every application for a new dealer's license shall

contain, in addition to such information as the commission may require, a statement as to the following facts:

(1) The name and residence address of the applicant and the trade name, if any, under which the applicant intends to conduct business;

(A) If the applicant is a partnership, the name and residence address of each member thereof, whether a limited or general partner, and the name under which the partnership business is to be conducted;

(B) If the applicant is a corporation, the name of the corporation and the name and address of each of its principal officers, directors and all persons owning more than five percent (5%) of outstanding shares of stock issued by the corporation;

(2) A complete description, including the city, town, or village with the street and number, if any, of the permanent, established place of business and such other and additional place or places of business as shall be operated and maintained by the applicant in conjunction with the permanent, established place of business;

(b) All applications for licenses required to be obtained under this part shall be verified by oath or affirmation of the applicant or the applicants.

(c) All applications shall be accompanied by the payment of a fee of thirty-five dollars (\$35.00).

(d) All licenses shall expire on August 31 in the year which biennially succeeds the date of issuance.

(e) Any change of address of a dealer must be reported to the commission within ten (10) days of the date of change.

Section _____. A dealer license may be denied, suspended or revoked for any of the grounds in § 55-17-114.

SECTION 5. Tennessee Code Annotated, Section 55-50-102(19)(D), is amended by deleting the semicolon at the end of such subdivision and by substituting instead the following:

, and shall include enclosed motorcycles that weigh less than one thousand five hundred pounds (1,500 lbs.);

SECTION 6. Tennessee Code Annotated, Section 55-50-301, is amended by adding a new subdivision thereto, as follows:

() A Class M license shall not be required for the operation of enclosed motorcycles that weigh less than one thousand five hundred pounds (1,500 lbs.).

SECTION 7. This act shall take effect July 1, 2000, the public welfare requiring it.